

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

RONALD G. LINABURG,

Debtor.

Bankruptcy No. 20-22898-CMB

Chapter 11

DIANA MARIE DONGELL, D.M.D.;
RONALD E. HAND, D.M.D.;
REBECCA L. WATKINS, D.M.D.; and
RENEE R. KALP, D.M.D.,

Movants,

v.

RONALD G. LINABURG, D.M.D.,

Respondent.

Related to Doc. No. 135

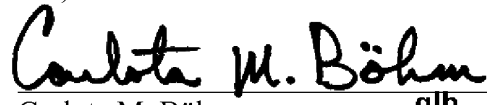
ORDER

AND NOW, this 16th day of September, 2021, upon consideration of the *Motion to Extend Deadline to Object to Dischargeability and/or Discharge* (“Motion,” Doc. No. 135), the Debtor’s Response thereto (Doc. No. 162), Movants’ Reply (Doc. No. 177), the record of this case and the arguments presented on September 15, 2021, this Court finds as follows:

1. Within the Motion, Movants advise that they filed a Petition Seeking Order Compelling Inspection of Company Books and Records and Appointment of a Custodian for Associated Dental Specialists, Inc. (“ADS”), of which the Debtor and Movants are shareholders. Debtor is identified as the majority shareholder, president, and sole director. The action is pending in the Court of Common Pleas of Allegheny County (“State Court Action”).
2. In light of Fed.R.Bankr.P. 4004(a), Movants acknowledged on September 15, 2021, that the time to file a complaint objecting to discharge need not be extended at this time. Therefore, the Court considers that request withdrawn without prejudice.

3. Here, there is no dispute that the Motion was filed before the deadline to file a complaint to determine dischargeability set forth in Fed.R.Bankr.P 4007(c). The only issue is whether there is cause for the extension. Debtor asserts that Movants have been long aware of the bankruptcy case and did not diligently pursue filing a dischargeability action. However, Movants' allegations relate to the State Court Action and potential fraud and/or defalcation by Debtor in his management of ADS. Movants sought corporate records in that action relevant to investigate a potential dischargeability action. As to the current status of the State Court Action, it has been represented that the proceedings have been stayed, and the parties await a determination to proceed with discovery which has been opposed by ADS. Rather than force the filing of a dischargeability complaint where it may be that no such action is ultimately pursued, the Court finds that, upon consideration of the full record, an extension is warranted.

Based on the foregoing, it is hereby **ORDERED, ADJUDGED, AND DECREED** that the Motion is **GRANTED** as set forth herein. The deadline for Movants to file a complaint to determine dischargeability is extended to **November 15, 2021**.



Carlota M. Böhm gib
Chief United States Bankruptcy Judge

FILED
9/16/21 12:55 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Ronald G Linaburg
Debtor

Case No. 20-22898-CMB
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Sep 16, 2021

User: gamr
Form ID: pdf900

Page 1 of 3
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 18, 2021:

Recip ID	Recipient Name and Address
db	+ Ronald G Linaburg, 924 Valleyview Road, Pittsburgh, PA 15243-1022

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 18, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 16, 2021 at the address(es) listed below:

Name	Email Address
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Carolyn Batz McGee	on behalf of Defendant Diana M. Dongell D.M.D cbmcgee@porterwright.com
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District/off: 0315-2

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